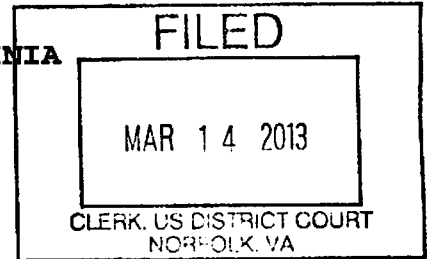


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division



RICHARD TAYLOR,

Plaintiff,

v.

ACTION NO. 4:12cv39

SOCIAL SECURITY,

Defendant.

FINAL ORDER

Plaintiff Richard Taylor, proceeding pro se, has sued the Defendant, Social Security ("the Government"), under Section 205 of the Social Security Act, 42 U.S.C. § 405(g), seeking judicial review of the Social Security Administration's decision to withhold 100% of his monthly retirement benefits to recover an overpayment.


This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on February 4, 2013, recommending that the Court grant the Government's Motion to Dismiss or, in the Alternative, for Summary Judgment (ECF No. 11) and dismiss the case. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge.

On February 20, 2013, the Court received Plaintiff's Response to the Magistrate Judge's Report and Recommendation (ECF No. 22), and on February 25, 2013, the Government filed a Response to Plaintiff's Objection to the Report and Recommendation of the United States Magistrate Judge (ECF No. 23).

Having reviewed the record and the objections filed by Plaintiff, and finding no error, the Court hereby ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on February 4, 2013, and the Government's Motion to Dismiss, or in the Alternative, for Summary Judgment (ECF No. 11) is GRANTED and this case is DISMISSED.

Plaintiff is ADVISED that he may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to Plaintiff and to counsel of record for Defendant.



Mark S. Davis
United States District Judge

Norfolk, Virginia

March 13, 2013